

85-00422

# OFFICE OF THE ATTORNEY GENERAL



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JUL 8 1985

Honorable Chip Bailey  
State Senator  
29th District  
P.O. Box 6791  
Dothan, AL 36302

Municipalities - Officers and  
Offices - Compensation

Increase in salaries of Mayor  
and Commissioners of City of  
Dothan discussed.

Dear Senator Bailey:

Your opinion request has been received in the Office of the Attorney General. Your question is:

"Please advise if the salary for the Mayor and City Commission members for the City of Dothan can be raised or increased by local act. This was done in 1979, however, questions have been raised as to the constitutionality of so doing."

The City of Dothan operates under the provisions of Act 79-537. Since 1979, the Legislature has adopted a classification system for municipalities pursuant to the provisions of Constitution of Alabama 1901, Amendment 375. Those classifications are set forth in Code of Alabama 1975,

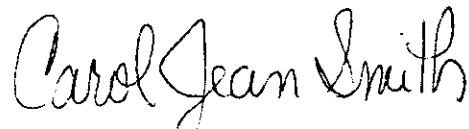
Honorable Chip Bailey  
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§11-40-12. It is the opinion of this office that "class" legislation is the best vehicle for raising or increasing the salary for the Mayor and members of the City Commission of the City of Dothan. It is noted that under the provisions of Act 79-537 members of the governing body serve staggered terms. Therefore, any legislation increasing these salaries should recognize this fact and be drafted in such a manner as to avoid conflict with Constitution of Alabama 1901, §§68 and 281.

I do hope that this response sufficiently answers your inquiry. If we may be of further service, please do not hesitate to contact us.

Sincerely yours,

CHARLES A. GRADDICK  
Attorney General  
By-

A handwritten signature in cursive script that reads "Carol Jean Smith".

CAROL JEAN SMITH  
Assistant Attorney General

CAG/CJS/cg